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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

AUG 24 1981

B-204029

The Luxite Corporation
Federal Marketing Office
3714 Manor Pl., N.W.
Washington, D.C. 20007

Attention: William Grote

Gentlemen:

This is in response to your letter of July 8, 1981, inquiring about the status of a protest which you apparently believe is pending before this Office. Unfortunately, we have no record of a protest from you under the "B" number referenced in your letter.

Our records do show receipt of a copy of a letter to the General Services Administration (GSA) dated February 26, 1981 in which you stated your intent to protest to this Office if you were not awarded Item 36 under GSA solicitation No. FCTP-AQ-A5013-N-3-G-81. By letter of March 23, 1981, we acknowledged receipt of this copy. Subsequently, by letter dated March 30, 1981, you requested a ruling by the Comptroller General "if the award is not made to Luxite." Your letter, however, did not indicate that GSA had taken any action adverse to you. Thus, there was no issue presented for our consideration, and that letter therefore was not regarded as a protest to this Office. Our records contain no further correspondence prior to receipt of your July 8 letter.

GSA advises that by letter of April 9, 1981, you were notified that award had been made to another firm. Under our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(2) (1981), any protest against that award had to be filed within 10 working days of your receipt of GSA's April 9 letter. As previously stated, we do not consider that such a protest was filed.

Sincerely yours,

181
Ronald Berger
Assistant General Counsel

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